

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7111

BILL NUMBER: HB 1701

NOTE PREPARED: May 1, 2003

BILL AMENDED: Apr 25, 2003

SUBJECT: Various FSSA Matters.

FIRST AUTHOR: Rep. Brown C

FIRST SPONSOR: Sen. C. Lawson

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
☒ **FEDERAL**

IMPACT: State

Summary of Legislation: (1) This bill reauthorizes the Office of the Secretary of Family and Social Service's administrative structure until January 1, 2006.

(2) The bill also establishes the Bureau of Quality Improvement Services within the Division of Disability, Aging, and Rehabilitative Services to: (1) monitor certain services; (2) assist with quality assurance activities of other bureaus within the Division; and (3) establish a complaint process for individuals, providers, and case managers.

(3) The bill also allows a member of the Family and Social Services Committee to participate in a committee meeting by a means allowing simultaneous communication of all present at the meeting in certain circumstances.

(4) The bill further requires the coroner to make available the full copy of an autopsy report to the Division or the Division of Mental Health and Addiction under specified circumstances.

(5) The bill delays the expiration of the Commission on Mental Health. It also makes technical corrections.

Effective Date: Upon passage; July 1, 2003.

Explanation of State Expenditures: (1) This bill reauthorizes the administrative structure of FSSA until January 1, 2006. The fiscal impact of allowing the legislative authorization for FSSA to expire would most likely be related to the termination of rule-making authority that is vested in the entities that would sunset.

(2) The bill establishes a new Bureau of Quality Improvement within the Division of Disability, Aging, and Rehabilitative Services. FSSA reports that the new Bureau will be established within the current resources available to the Division.

(3) The bill allows the Family and Social Services Committee to conduct official business with members participating through the use of teleconferencing equipment under specified conditions. This may assist FSSA in achieving a quorum in the Committee on a consistent basis.

(4) The bill allows the directors of the Division of Disability, Aging, and Rehabilitative Services (DDARS) and the Division of Mental Health and Addiction (DMHA) to receive copies of coroner reports upon request for the purpose of the review of the circumstances surrounding the death of an individual who received services from or through one of the divisions at the time of the individual's death. This provision would have a small impact on local coroners' offices should circumstances arise in which they would be required to furnish a copy of the autopsy report.

(5) The bill extends the authority for the Commission on Mental Health from January 1, 2004, to January 1, 2006. The Commission is currently comprised of 17 members; 4 Legislative members and 13 laypersons. The Commission operates under the policies governing study committees adopted by the Legislative Council. Legislative Council resolutions in the past have established budgets for interim study committees ranging from \$12,000 to \$18,500 per interim for committees with 16 members or more.

Background Information:

FSSA Reauthorization: This bill extends the expiration date of the administrative structure of FSSA to January 1, 2006. (Current law provides for the expiration of the administrative structure on January 1, 2004.) The FSSA administrative offices affected are:

- (1) The Office of the Secretary of Family and Social Services.
- (2) The Office of Medicaid Policy and Planning.

The bill also extends to January 1, 2006, the expiration date of a statute that governs procedures of Family and Social Services advisory councils and the expiration date of statutes that relate to certain powers of the directors of the following divisions:

- (1) Disability, Aging, and Rehabilitative Services.
- (2) Family and Children.
- (3) Mental Health and Addiction.

This bill will continue the administrative structure of FSSA as it currently exists. Depending upon the actions of the administration, failure to pass this bill, in practice, would not necessarily have an immediate fiscal impact. Upon its statutory expiration on July 1, 1999, FSSA was extended by the Governor's executive order. In lieu of passage of this bill or a continuation of the executive order, if the positions were able to be absorbed or reallocated under the existing appropriations, any potential fiscal impact from the termination of these entities would more likely arise from the loss of rule-making authority vested in these positions by statute.

Explanation of State Revenues:

Explanation of Local Expenditures: (4) This provision would have a small impact on local coroners' offices should circumstances arise in which they would be required to furnish a copy of an autopsy report to a division director.

Explanation of Local Revenues:

State Agencies Affected: The Family and Social Services Administration.

Local Agencies Affected: Local Coroner.

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